

REMARKS

Claims 1-43 are currently pending in the subject application and are presently under consideration. Claims 1, 6, 12-16, 18, 19, 21-31, 39-41, and 43 have been amended as shown on pages 5 and 7. Claims 2 and 10 have been cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-43 Under 35 U.S.C. §103(a)

Claims 1-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kudoh, *et al.* in view of Prior Art “AAPA” US Pub (2004/0177123) in further view of Leonardos (2002/0069212). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Kudoh, *et al.*, AAPA, and Leonardos, individually or in combination, do not teach or suggest each and every feature set forth in the subject claims.

A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning. See *KSR v. Teleflex*, 550 U.S. ___, 127 S. Ct. 1727 (2007) citing *Graham v. John Deere Co. of Kansas City*, 383 U. S. 1, 36 (warning against a “temptation to read into the prior art the teachings of the invention in issue” and instructing courts to “guard against slipping into the use of hindsight” (*quoting Monroe Auto Equipment Co. v. Heckethorn Mfg. & Supply Co.*, 332 F. 2d 406, 412 (CA6 1964))).

The subject claims relate to the creation, management, and display of attribute-specific lists in connection with organizing objects. Objects upon which actions can be performed, such as e-mails or files, can have one or more of their object attributes associated with an attribute-specific list. This list can be automatically updated (*e.g.* sorted or appended) based on actions performed on an object having the same associated attribute. The list can include a number of alternative ways that an action can be performed on the object. For example, when a user receives an e-mail (the object in this example case) from a particular sender (the attribute), and the user wishes to move the e-mail to a particular folder (the action), the user can invoke a list of destination folders associated with the sender of the e-mail and select a destination folder from the list. Upon selecting a destination folder, the list can be re-sorted according to predetermined

sort criteria and based on the user's selection. The sort criteria can be a function of the performed action and can include, but is not limited to, re-sorting based on the most recently selected alternative (in which case the most recently selected alternative would be moved to the top of the list), or re-sorting based on the most frequently selected alternative. This updated list can then be invoked for subsequent objects that contain the same associated attribute, while a disparate list can be maintained for objects having a different attribute. In particular, independent claim 1 recites, *initializing a plurality of attribute-specific lists, **each list having a defined association with a different controlling attribute** and having a plurality of entries corresponding to selectable actions to be performed on an object having the associated controlling attribute, the list ordered from a most recently performed action to a least recently performed action.*

As conceded in the Office Action, Kudoh, *et al.* does not disclose a *controlling attribute having an associated attribute-specific list*. The Examiner contends that Applicant's Admitted Prior Art remedies this deficiency, citing in particular the concept of sorting a list of destination folders according to most-recently-moved-to (MRMT) criteria, wherein the position of a folder on the list is a factor of how recently an e-mail was moved to that folder with respect to the other folders. However, such a list is not disclosed in AAPA as being associated with a particular *object attribute*. Rather, AAPA teaches that the *same* MRMT list of folders is invoked for *all* incoming e-mails, regardless of the particular attributes of that e-mail (*e.g.* the sender of the e-mail). As such, the MRMT lists are not attribute-specific. See especially paragraph [0005], which specifically indicates the shared use of this list among e-mails from different senders as a drawback of the MRMT list, which the present invention seeks to remedy through the use of *attribute-specific lists*.

This concept of attribute-specific lists is further underscored in independent claim 1, which goes on to recite, *invoking a first of the plurality of attribute-specific lists via a first object having a first controlling attribute, the first attribute-specific list associated with the first controlling attribute; selecting an action from the first attribute-specific list to be performed on the first object; reordering the first of the plurality of attribute-specific lists in accordance with the selected action, **the reordering of the first of the plurality of attribute-specific lists is performed independently of the remaining attribute-specific lists.*** The MRMT functionality

disclosed in AAPA does not provide for *independent reordering* of lists associated with different controlling attributes of an object.

Further demonstrating the attribute-specific nature of the disclosed lists, amended independent claim 1 further recites, ***invoking a second of the plurality of attribute-specific lists via a second object having a second controlling attribute, the second attribute-specific list associated with the second controlling attribute; and selecting an action from the second attribute-specific list to be performed on the second objection; and reordering the second of the plurality of attribute-specific lists in accordance with the selected action, the reordering of the second of the plurality of attribute-specific lists is performed independently of the remaining attribute-specific lists.*** Thus, having a plurality of *attribute-specific* lists allows a *different* list to be invoked through a second object having a second controlling attribute, and allows this list to be reordered independently of the lists associated with other controlling attributes. With regard to these aspects, the Examiner cites Kudoh, *et al.*, which relates to an e-mail cataloging and retrieval system that displays header and classification information for a list of e-mails. Specifically, the Examiner indicates passages in Kudoh, *et al.* that describe this list of e-mails, as well as a “second list” having the classification types of the e-mails as classification items. However, neither of these lists is in any way analogous to the lists disclosed in independent claim 1, which *provide alternatives as to how the action can be performed upon objects*. Moreover, as already noted, neither Kudoh, *et al.* nor AAPA disclose *attribute-specific* lists associated with an object’s controlling attribute. Consequently, these references, alone or in combination, do not teach or suggest displaying a *second* list of a plurality of *controlling attribute-specific lists via a second object having a second attribute*.

Leonardos is also silent with regard to the above features. Leonardos relates to an information management system that allows a user to create and manage electronic folders in which electronic files can be stored. However, the cited reference does not teach the use of attribute-specific lists as described above.

Similarly, independent claim 12 recites, *initializing a set of attribute-specific lists, each attribute-specific list having a defined association with an object attribute*, and as discussed *supra*, none of the cited references disclose an *attribute-specific* list having a defined association with an object attribute.

Likewise, independent claim 27 recites, *an initializing component to initialize a plurality of attribute-specific lists, each attribute-specific list having a defined association with one or more controlling attributes*. None of the cited references disclose such an attribute-specific list, as already discussed.

Independent claim 43 recites, *means for initializing a set of attribute-specific lists based on at least one controlling attribute; ...means for updating a first of the attribute-specific lists based on an action performed on one or more objects having the controlling attribute associated with the first attribute-specific list*. As discussed *supra*, the cited references do not disclose attribute specific lists associated with an object's controlling attribute. Nor do the cited references teach or suggest initializing such a list based on the controlling attribute, or that action-based updates to the list are subject to the controlling attribute.

In view of at least the foregoing, it is respectfully submitted that Kudoh, et al., AAPA, and Leonardos, individually or in combination, do not teach or suggest all features set forth in amended independent claims 1, 12, 27, and 43 (and all claims depending there from), and as such fail to make obvious the present invention. It is therefore requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP289USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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